

# EXHIBIT A

**DECLARATION OF CHRISTIAN ALBERTO SANTOS GARCIA**

I, Christian Alberto Santos Garcia, under penalty of perjury, declare and state as follows:

1. I am a native Salvadoran, and I came to the United States in September 2016.
2. I have been detained at the Farmville Detention Center ("Farmville") for nearly three years.
3. On December 19, 2019, an Immigration Judge granted me withholding of removal and protection under the U.N. Convention Against Torture.
4. I am still detained at Farmville as the Department of Homeland Security has appealed the Immigration Judge's ruling, and the Board of Immigration Appeals has not issued a final decision in my case.
5. I learned about the new COVID-19 pandemic earlier this year. I understand that it is a deadly virus that spreads very quickly. Since the start of COVID-19, I have received two cloth masks which I try to rewash and reuse. I have received one N95 mask, but I do not use it anymore because it's dirty and the straps have come off and no one has helped repair it.
6. Over the last several weeks, I have noticed and experienced the conditions at Farmville deteriorate. I am afraid for my health and safety, and for the health and safety of everyone else here.
7. I currently live in Dorm 5 at Farmville. About 50 to 80 people live in my dorm. We sleep in a large room in bunkbed-style beds that are inches apart from and on top of one another. The bunkbeds are so close to each other that it feels like we are practically sleeping in the same bed. At all times of the day, I am surrounded by these people. I am not able to socially distance from them because of the number of us in one dorm. I am not allowed to leave the dorm often, and I am rarely allowed to go outside.

8. The air in our dorm is stale, and the room is very dusty. There is no air conditioning, but there are fans. The fans are almost never used because they are so dusty, and all they really do is blow dust around.

9. Around June 21, 2020, I started to feel very sick. I had a very bad fever, my entire body hurt. I had severe headaches. Because of my fever and the pain I felt, it was very difficult to sleep.

10. I told the guards that I did not feel well and requested a medical visit. Instead of receiving a medical visit or other care, I was told that my dorm—Dorm 5—was “clean” from COVID-19. They did not test me for COVID-19 at that time, and I continued to live with other detainees in Dorm 5.

11. Around this time—when we went into quarantine about two to three months ago—the quality of food we received also became noticeably worse. There were little bugs in some of the food we were served. In the last month alone, I have personally been served food with little bugs in it three times, and it happened as recently as a few days ago.

12. Also, we began to receive uncooked or undercooked food. For example, we were given very hard potatoes and hard rice. And the milk we were given was spoiled and smelled bad. I understand that the guards are now responsible for making our meals because of limited staff due to COVID-19. A lot of this food was inedible and would make me feel nauseous if I tried to eat it. This made my sickness worse.

13. I was not the only person in my dorm that was sick. Many people in my dorm were very sick and had fevers (I could tell because they were sweating and trembling), and many were coughing a lot.

14. Also around this time, during a routine count of the people in my dorm, one of the guys in my dorm fell over and passed out. In response, I observed the guards spray him in the face with something I believe was pepper spray. The man immediately started clutching his face and coughing.

15. During the morning of June 23, 2020, I observed another man who lives in my dorm fall over and pass out because he was so sick. He hit his head when he fell, and it took a long time for guards to respond to the unconscious man. Seeing everyone around me becoming sick made me scared; I was worried we would die. Still, we received no treatment or medicine. The only care we were receiving at that time was a daily check of our temperatures, and even then those with fevers were not given anything to help.

16. In the evening of June 23—two days after I began to feel very ill—I received Tylenol. I only received one dose of Tylenol once every 12 hours. The Tylenol did not help me feel better. I still had a high fever—my head felt hot and I had chills and body aches.

17. Also on June 23, a person who told us they were an ICE official visited my dorm and spoke with us. This official told us that everyone in the facility would probably be infected with COVID-19 but that this would not result in release. I had heard so much about people dying from this disease, I was terrified to think I probably had it already.

18. For the next two days, I received Tylenol once every twelve hours, but it did not help. I continued to feel terrible and asked for medical care, but I was not given any.

19. By June 26, 2020, I felt even worse than I had before. Beyond my fever, body aches, and headaches, I developed a persistent cough. I felt like my lungs would never get enough air, and I was having difficulty breathing. I continued to live in close quarters with others in Dorm 5 while I experienced these symptoms.

20. On July 2, 2020, I finally felt like my fever had passed. However, I was still coughing non-stop, my body hurt all over, and I felt like I could not fully breathe.

21. That morning, we were all tested for COVID-19. However, Farmville staff did not tell us when we would get the test results or what would happen if we did have COVID-19.

22. A few days later, on July 8, 2020, one of the guards told me we would not be given the results of our COVID-19 tests. The guard told me that the majority of people in my dorm and Dorm 4 had tested positive for COVID-19. I was sure I must be among those with the disease.

23. That same day, the guards stop distributing Tylenol to detainees in Dorm 5.

24. That day, I also began to hear from Farmville personnel that ICE planned to transfer the majority of people at Farmville to another ICE facility in Texas. From what I was told, up to 350 or more people were going to be transferred. I knew that would include a lot of people who have COVID-19.

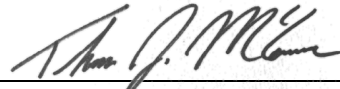
25. On July 9, 2020, someone from ICE came to talk to talk to us. I was handed a piece of paper and the paper said I had test positive for COVID-19.

26. The same person from ICE also told us that ICE was planning to transfer the majority of us, including many if not all COVID positive detainees, to a facility in Texas within a week or two.

27. I believe that if the facility keeps being run in this way—no air conditioning, dust everywhere, dirty air, terrible food that we cannot eat, not being allowed doctor visits, not being given any medicine—I will not get better. Though I have improved, breathing is still an issue—I can't really take deep breaths, and when I try, I cough.

28. I affirm under the penalty of perjury that the forgoing declaration is true and accurate to the best of my ability and personal knowledge.

Christian Alberto Santos Garcia gave me, Thomas J. McCormac, IV, authority to say this is true and correct and to sign on his behalf because he is currently detained and, due to the COVID-19 pandemic, I am not able to visit him in person to obtain his signature. The forgoing declaration is drafted based on notes of my calls with Christian, whom I represent in both this litigation and his underlying immigration case. At 3:00 p.m. on July 15, 2020, I read, with the assistance of a translator, the above Declaration back to Mr. Santos Garcia to confirm its accuracy and Mr. Santos Garcia stated that it was accurate.



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Thomas J. McCormac, IV

I, Vanessa Hernandez, am proficient in both the English and Spanish language. I am competent to translate English to Spanish and vice versa. On July 15, 2020 at 3:00 p.m., I participated in a telephone call with Thomas J. McCormac IV and our firm's client, Christian Alberto Santos Garcia. During this call, I translated the above declaration into Spanish. Mr. Santos Garcia affirmed that the foregoing was true and accurate and authorized Mr. McCormac to sign on his behalf.



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Vanessa Hernandez  
Legal Secretary  
Gibson, Dunn & Crutcher LLP